

ORDINANCE NO. 97-4

AN ORDINANCE OF THE BOARD OF COUNTY COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA AMENDING THE 1989 COMPREHENSIVE PLAN AS ADOPTED BY ORDINANCE NO. 89-17, AS AMENDED; AMENDING THE FUTURE LAND USE ATLAS SERIES OF THE LAND USE ELEMENT; ADOPTING A SMALL SCALE DEVELOPMENT AMENDMENT; MODIFYING FUTURE LAND USE ATLAS PAGE 71 BY CHANGING A 9.88 ACRE PARCEL OF LAND GENERALLY LOCATED ON THE SOUTHWEST CORNER OF THE INTERSECTION OF FOREST HILL BOULEVARD AND HAVERHILL ROAD, FROM HIGH RESIDENTIAL 12 TO COMMERCIAL LOW/12; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, on August 31, 1989, the Palm Beach County Board of County Commissioners adopted the 1989 Comprehensive Plan by Ordinance No. 89-17; and

WHEREAS, the Palm Beach County Board of County Commissioners amends the 1989 Comprehensive Plan as provided by Chapter 163, Part II, Florida Statutes; and

WHEREAS, Section 163.3187(1)(c), Florida Statutes, provides comprehensive plan amendments directly related to small scale development activity may be made by local governments without regard to statutory limits regarding the timing and frequency of plan amendments; and

WHEREAS, Section 163.3187(1)(c)4, Florida Statutes, provides that small scale development amendments require only one public hearing before the governing board which shall be an adoption public hearing; and

WHEREAS, a property owner has initiated an amendment to the Future Land Use Atlas of the 1989 Comprehensive Plan; and

WHEREAS, the proposed amendment meets the criteria of a small scale development amendment per Section 163.3187(1)(c), Florida Statutes; and

WHEREAS, the Palm Beach County Local Planning Agency conducted a public hearing on September 27, 1996, to review the

1 proposed amendment to the Palm Beach County Comprehensive Plan
2 and made a recommendation regarding the proposed amendment to the
3 Palm Beach County Board of County Commissioners pursuant to
4 Chapter 163, Part II, Florida Statutes at the conclusion of the
5 public hearing; and

6 WHEREAS, the Palm Beach County Board of County Commissioners,
7 as the governing body of Palm Beach County, conducted a public
8 hearing pursuant to Chapter 163, Part II, Florida Statutes, on
9 February 27, 1997, to review the recommendation of the Local
10 Planning Agency; and

11 WHEREAS, the Palm Beach County Board of County Commissioners
12 has determined that the amendment complies with all requirements
13 of the Local Government Comprehensive Planning and Land
14 Development Regulation Act; and

15 WHEREAS, the applicant has offered to restrict the use of the
16 subject property to specific permitted uses and a maximum square
17 footage.

18 NOW, THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY
19 COMMISSIONERS OF PALM BEACH COUNTY, FLORIDA, that:

20 Part I. Amendment to the Future Land Use Atlas of the Land
21 Use Element of the 1989 Comprehensive Plan

22 An Amendment to the Land Use Element's Future Land Use Atlas
23 of the Palm Beach County 1989 Comprehensive Plan, is hereby
24 adopted as follows:

25 A. Future Land Use Atlas page 71 is amended as follows:

26 Application No.: SCA 96-S9

27 Amendment: From 9.88 acres of High Residential
28 12 (HR-12) to Commercial Low (CL)
29 with an underlying High Residential
30 12 (CL/HR-12).

Location: Southwest corner of the intersection
of Forest Hill Boulevard and
Haverhill Road.

Size: 9.88 acres

B. This amendment is subject to the following conditions:

1. This site shall only be permitted the following
uses:

- a. Limited-Access/Multiple Access Self-Service
Storage as defined in the ULDC,
- b. Truck Rental as defined in the ULDC,
- c. Outdoor Vehicle Storage as defined in the
ULDC,
- d. Accessory Office for self-storage and truck
rental as defined in the ULDC,
- e. Caretaker's residence for self-storage and
truck rental as defined in the ULDC.

Any request for a change in the permitted uses
shall require an amendment to the Palm Beach County
Comprehensive Plan.

2. The total square footage of all uses on the site
shall not exceed a maximum of 130,000 square feet.
3. Truck rental and outdoor storage of vehicles shall
not be allowed along Haverhill Road or Forest Hill
Road.
4. The commercial structure shall be painted in a
manner that is consistent with those primary
colors found in the immediate community.
5. A Declaration of Restrictive Covenant containing
the restrictions set forth in Section B 1-4 of
this Ordinance, in a form approved by the County

1 Attorney, shall be recorded prior to Development
2 Review Committee certification of the rezoning
3 petition of the subject property.

4 C. A legal description for the parcel depicting the
5 amendment is attached to this ordinance as Exhibit 1.

6 D. A map depicting the amendment is attached to this
7 ordinance as Exhibit 2.

8 **Part II. Effective Date**

9 This amendment shall not become effective until 31 days after
10 adoption. If challenged within 30 days after adoption, this
11 amendment shall not become effective until the state land
12 planning agency or the Administration Commission, respectively,
13 issues a final order determining the amendment is in compliance.

14 **APPROVED AND ADOPTED** by the Board of County Commissioners of
15 Palm Beach County, on the 27 day of February, 1997.

16 DOROTHY H. WILKEN

17 PALM BEACH COUNTY, FLORIDA,
18 BY ITS BOARD OF COUNTY COMMISSIONERS

19
20
21 By: Joan Hawley
22 Deputy Clerk

23
24
25 Chairman

26 APPROVED AS TO FORM AND
27 LEGAL SUFFICIENCY

28 County Attorney
29 COUNTY ATTORNEY

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32 Filed with the Department of State on the 5th day of
33 March, 1997.

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- EXHIBIT 1 -

EXHIBIT "A"

ORB 8149 Pg 1138
RECORD VERIFIED DOROTHY H WILKEN
CLERK OF THE COURT - PB COUNTY, FL

LEGAL DESCRIPTION

TAX FOLIO #00-42-44-11-00-000-5020 FOR

PARCEL 1:

All of PINE GLEN AT ABBEY PARK PLAT NO. 1, according to the Plat thereof, as recorded in Plat Book 67, Pages 184 through 186 of the Public Records of Palm Beach County, Florida; LESS and EXCEPTING Blocks 1, 2, 13, 14, 15, 16, 17 and 20; and

TAX FOLIO #00-42-44-11-00-000-5010 FOR

PARCEL 2:

A portion of Section 11-44S-42E described as that portion of the Southeast 1/4 of the Southeast 1/4 lying northerly of Abbey Road East as shown on the Plat Book 67, Page 184 of the Public Records of Palm Beach, Florida and easterly of Abbey Road as shown on Plat Book 46, Page 180 of said Public Records, LESS the North 76 feet, the easterly 66 feet and triangular parcel of the right of ways of Forest Hill Boulevard and Haverhill Road.

uk/pineglen.leg/pla

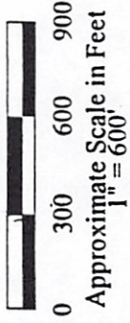


Future Land Use Map

SCA 71 COM 1
Abbey Park

Size - 9.88 acres
Existing Use - Vacant
Existing FLU - HR-12
Existing Zoning - RM/SE
Proposed FLU - CH/12

- Land Use Designations**
- 5 - Medium Residential
 - 8 - High Residential
 - 12 - High Residential
 - INST - Institutional
 - CH/8 - Commercial High



STATE OF FLORIDA, COUNTY OF PALM BEACH
ROTHY H. WILKEN, ex-officio Clerk of the
County Commissioners certify this to be a
correct copy of the original filed in my office
2/27/97

West Palm Beach, FL on 2/27/97
By: ROTHY H. WILKEN, Clerk
D.C.

FLORIDA COUNTY ORDINANCE DATA RETRIEVAL SYSTEM CODRS CODING FORM

Instructions: Florida's Department of State, Bureau of Administrative Code has developed the County Ordinance Data Retrieval System (CODRS) to facilitate the tracking of County ordinances in Florida's 67 Counties. CODRS' data base is composed of over 25,000 county ordinances enacted since 1974.

We request your cooperation in completing this coding form. It is to be completed whenever your county enacts a new ordinance. Simply complete this form and include it with other pertinent ordinance information that is submitted to the Bureau of Administrative Code.

To code this form properly, please refer to the "keyfields" description sheet that has been given to your County Attorney's Office. If you do not have this sheet please contact the Bureau. We will be happy to fax one to you for referencing purposes. Please fill out this form as completely as is possible.

Thank you for your assistance. Should you need further assistance please contact the Bureau of Administrative Code, Department of State at (904)-488-8427 or Suncom 278-8427.

COUNTY: (Palm Beach)	COUNTY ORDINANCE # (97-4)
	(e.g., 82-001)
PRIMARY KEYFIELD	
DESCRIPTOR: (Comprehensive Planning)	
SECONDARY KEYFIELD	
DESCRIPTOR: (Land Use Planning)	
OTHER KEYFIELD	
DESCRIPTOR: ()	
ORDINANCE DESCRIPTION: (Land use MAP Amendment)	
(25 characters maximum including spaces)	
ORDINANCES AMENDED: (List below the ordinances that are amended by this legislation. If more than two, list the most recent two.)	
AMENDMENT # 1: (89-17)	AMENDMENT # 2: ()
ORDINANCES REPEALED: (List below the ordinances that are repealed by this legislation.)	
REPEAL # 1: ()	REPEAL # 3: ()
REPEAL # 2: ()	REPEAL # 4: ()
(Others repealed list all that apply):	

(FOR OFFICE USE ONLY):	COUNTY CODE NUMBER: ()
KEYFIELD 1 CODE: ()	KEYFIELD 2 CODE: ()
KEYFIELD 3 CODE: ()	Rev. 8/20/95

ENCLOSURE

County Library
Serial Dept.

**ORDINANCE
ENCLOSED**

